

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

United States of America,)	
Plaintiff,)	
)	
v.)	8:07CV275
)	
Todd Magdaleno,)	GARNISHEE ORDER
Defendant(s),)	
)	
and)	
)	
Magnolia Hotel,)	
Garnishee.)	

A Writ of Garnishment, directed to Garnishee, Magnolia Hotel, 1615 Howard St, Omaha, NE 68102, has been duly issued and served upon the Garnishee. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer on June 14, 2010, stating that at the time of the service of the Writ he had in his possession or under his control non-exempt property belonging to and due defendant, Todd Magdaleno, -----, Omaha, NE 68132, and that garnishee was indebted to defendant.

On June 3, 2010, the defendant was notified of his/her right to a hearing and he/she has not requested a hearing to determine exempt property.

IT IS ORDERED that Garnishee pay the lesser of: 1) the amount by which the defendant's disposable earnings exceed the exempt earnings or 2) twenty-five percent (25%) of the defendant's disposable earnings to plaintiff, United States of America. Payments will be made payable to the Department of Justice, and delivered to the U. S. Attorney, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102-1506. Said payments are to continue until A) A court order quashing the writ of garnishment; B)

exhaustion of property in the possession, custody or control of the garnishee in which the debtor has a substantial non-exempt interest (including non-exempt disposable earnings), unless the garnishee reinstates or reemploys the judgment debtor within 90 days after the judgment debtor's dismissal or resignation; or C) satisfaction of the debt with respect to which the writ is issued.

The Clerk of the Court shall mail a copy of this Order to the Defendant, the Garnishee, and the U.S. Attorney's Office.

Dated this 14th day of July, 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge